

### **REMARKS**

Claims 1-14 are pending in this application. Claims 1 and 13 are independent. In light of the amendments and remarks included herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-14 under 35 U.S.C. § 102(e) as being anticipated by *Wright et al.* (USP 6,721,802). Applicant respectfully traverses this rejection.

By this Amendment, Applicant has amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

### **Prior Art Rejections**

By this Amendment, Applicant has amended claim 1 to recite, *inter alia*, an image transmitting method for transmitting an image from a client computer to a service server, the method comprising enabling selection of one of a plurality of menu buttons, wherein each or the plurality of menu buttons corresponds to one of a plurality of services including an image storage service, an image print service, and a mobile phone screen service. Claim 1 additionally recites, *inter alia*, enabling selection of a menu update button which updates information associated with the plurality of menu buttons.

In contrast, the disclosure of *Wright et al.* is directed to a method, apparatus, and program for the central storage for standardized image data. Using the system, a user can upload image data into a central image database on a central server, using the processing power of a remote terminal computer to resample and resize each image according to a set of predetermined image parameters for storage in the central database (abstract).

However, there is no discussion in *Wright et al.* that is directed to enabling selection of one of a plurality of menu buttons, wherein each of the plurality of menu buttons corresponds to one of the plurality of services including an image storage service, an image print service, and a mobile phone screen service.

Additionally, there is not teaching or suggestion in *Wright et al.* that is directed to selection of a menu update button, which updates information associated with the plurality of menu buttons. As *Wright et al.* fails to teach or suggest all of the claims elements as set forth in claim 1, as amended, it is respectfully submitted that claim 1 is not anticipated by *Wright et al.* As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-12 are allowable for the reasons set forth with regard to claim 1, at least based upon their dependency on claim 1. It is further respectfully submitted that claim 13 includes elements similar to those discussed above with regard to claim 1 and thus claim 13, together with claims dependent thereon, are not anticipated by *Wright et al.* for the reasons noted above with regard to claim 1.

### **Conclusion**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/055,379  
Amendment dated October 24, 2005  
Reply to Office Action of July 22, 2005

Docket No.: 0879-0372P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: October 24, 2005

Respectfully submitted,

#10,439

By

Michael K. Mutter

Registration No.: 29,680

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant